

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**WACHOVIA BANK, NATIONAL ASSOCIATION
SUCCESSOR BY MERGER TO SOUTHTRUST BANK**

PLAINTIFF

V.

CIVIL ACTION NO. 3:05cv698HTW-JCS

**CONGRESS STREET PROPERTIES, LLC; NORTHGATE
PROPERTIES, LLC; AND ISAAC K. BYRD, JR.**

DEFENDANTS

**ORDER ALLOWING AMENDMENT OF THE COMPLAINT
AND SUBSTITUTION OF SPCP GROUP, LLC, AS PLAINTIFF**

CAME NOW on this date on the motion of Wachovia Bank, National Association, Successor by Merger to SouthTrust Bank ("Wachovia") to allow Wachovia to amend the Complaint and Substitute SPCP Group, LLC, as Plaintiff in this proceeding, and the Court being fully advised on the premises, finds that the motion is well-taken, and should be, and is hereby GRANTED.

Plaintiff is directed to file its amended complaint within ten days of entry of this order. Thereafter SPCP Group, LLC shall be substituted, as Plaintiff in this cause, in the place of Wachovia, and Wachovia, the former plaintiff, shall be withdrawn from this cause.

SO ORDERED, this the 23rd day of January, 2006.

/s/ James C. Sumner

UNITED STATES MAGISTRATE JUDGE

SUBMITTED BY:

/s Robert H. Walker

Robert H. Walker (MSB# 6890)

Kevin A. Rogers (MSB# 101230)

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COUNSEL FOR SPCP GROUP, LLC.